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Attorneys for Defendants, Counterclaimants
and Third-Party Plaintiffs KG HOLDINGS, LLC,
KIAHUNA GOLF CLUB, LLC, KG KAUAI
DEVELOPMENT, LLC, PUKALANI GOLF
CLUB, LLC, KG MAUI DEVELOPMENT, LLC,
MILILANI GOLF CLUB, LLC, QK HOTEL, LLC,
and OR HOTEL, LLC ("KG PARTIES")

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD.,

Plaintiff,

vs.

QK HOTEL, LLC, et al.,

Defendants,

and

CV 04-00124 ACK-BMK
CV 04-00125 ACK-BMK
CV 04-00126 ACK-BMK
CV 04-00127 ACK-BMK
CV 04-00128 ACK-BMK

CONSOLIDATED CASES

FRANKLIN K. MUKAI, et al.,
Third-Party Plaintiffs,
vs.
SPORTS SHINKO (USA) CO., LTD.,
et al.,
Third-Party Defendants,
and
SPORTS SHINKO (HAWAII) CO.,
LTD., et al.,
Third-Party Defendants/
Counterclaimants,
vs.
QK HOTEL, LLC, et al.,
Third-Party Counterclaim
Defendants.

AND CONSOLIDATED CASES

KG PARTIES' RESPONSE TO
NOTICE FILED MARCH 21, 2007;
CERTIFICATE OF SERVICE

KG PARTIES' RESPONSE TO NOTICE FILED MARCH 21, 2007
Defendants, Counterclaimants and Third-Party Plaintiffs KG Holdings,
LLC, QK Hotel, LLC, OR Hotel, LLC, Pukalani Golf Club, LLC, KG Maui
Development, LLC, Mililani Golf Club, LLC, Kiahuna Golf Club, LLC and KG
Kauai Development, LLC (“KG Parties”) hereby respond to the Notice filed herein
by the Honorable Alan C. Kay on March 21, 2007 regarding the Court’s
acquisition in January 2007 of \$50,000 of units in a mutual fund managed by
Goldman Sachs.

The KG Parties do not believe that Judge Kay's acquisition of units in the foregoing mutual fund constitutes a financial interest such that recusal or disqualification is appropriate or required.

DATED: Honolulu, Hawaii, March 26, 2007.

/s/ Robert A. Marks

WARREN PRICE III

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SIMON KLEVANSKY

ALIKA L. PIPER

CARISA LIMA KA'ALA HEE

Attorneys for Defendants, Counterclaimants and Third-Party Plaintiffs KG Holdings, LLC, QK Hotel, LLC, OR Hotel, LLC, Pukalani Golf Club, LLC, KG Maui Development, LLC, Mililani Golf Club, LLC, Kiahuna Golf Club, LLC and KG Kauai Development, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD.,
Plaintiff,
vs.
QK HOTEL, LLC, et al.,
Defendants,
and
FRANKLIN K. MUKAI,
Third-Party Plaintiff,
vs.
SPORTS SHINKO (USA) CO., LTD.,
et al.,
Third-Party Defendants,
and
SPORTS SHINKO (HAWAII) CO.,
LTD., et al.,
Third-Party Defendants/
Counterclaimants,
vs.
QK HOTEL, LLC, et al.,
Third-Party Counterclaim
Defendants.

AND CONSOLIDATED CASES

CV 04-00124 ACK-BMK
CV 04-00125 ACK-BMK
CV 04-00126 ACK-BMK
CV 04-00127 ACK-BMK
CV 04-00128 ACK-BMK
CONSOLIDATED CASES
CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of KG PARTIES' RESPONSE
TO NOTICE FILED MARCH 21, 2007 was served electronically through
CM/ECF on the following on March 26, 2007:

PAUL ALSTON, ESQ. palston@ahfi.com
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SPORTS SHINKO CO., LTD. and
SPORTS SHINKO (USA) CO., LTD.

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FRANKLIN K. MUKAI

DATED: Honolulu, Hawaii, March 26, 2007.

/s/ Robert A. Marks
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Third-Party Plaintiffs
KG Holdings, LLC, QK Hotel, LLC, OR
Hotel, LLC, Pukalani Golf Club, LLC, KG
Maui Development, LLC, Mililani Golf
Club, LLC, Kiahuna Golf Club, LLC and
KG Kauai Development, LLC